United Nations A/C.3/56/SR.28

General Assembly
Fifty-sixth session

Official Records

Distr.: General
9 November 2001

Original: English

Third Committee

Summary record of the 28th meeting
Held at Headquarters, New York, on Thursday, 1 November 2001, at 10 a.m.

Chairman: Mr. Al-Hinai ..... (Oman)

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01-61545 (E)

The meeting was called to order at 10.20 a.m.

Agenda item 118: Right of peoples to self-determination (*continued*) (A/56/224, A/56/295 and A/56/462-S/2001/962)

1. **Mr. Ferrer** (Cuba) said that, in addition to the continuing colonial domination of 17 countries and territories and the Israeli occupation of Palestine, the developing world was threatened by pernicious violations of the right to self-determination stemming from a new policy of domination in a unipolar world and theories which supported the right of intervention disguised as humanitarian concerns. Those interventionist doctrines and practices reflected double standards and strategies of domination which had never been put into practice in the past to liberate the people of South Africa from apartheid or end the massacre of the Palestinian people.

2. New dangers with unforeseeable consequences threatened the right to self-determination when the world's only super-power could be heard to proclaim, in the prevailing atmosphere of bellicosity following the terrorist atrocity against the United States, that the right to development was an illusion and that the capitalist model was the sole valid means of obtaining access to financing for development. The preservation of peace depended on respect for the right of nations to a plurality of political, economic and social systems in exercise of their right to self-determination, independence and territorial integrity. Globalization could not become an instrument for standardizing the world on the basis of a single model designed in the major centres of power which did not reflect the economic, political or cultural particularities of most of the world's peoples.

3. Where issues of self-determination were concerned, his Government felt deep concern at Israel's continuing occupation of Palestinian territory and the new spiral of violence it had unleashed against defenceless Palestinian civilians, in breach of the recognition by the General Assembly of the right of the Palestinian people to self-determination. Similarly, the illegal usurpation of Cuban territory by the American naval base of Guantánamo was a violation of Cuban sovereignty, while the colonial occupation of Puerto Rico had still not been resolved, despite the numerous resolutions adopted by the General Assembly over the past 30 years.

4. With reference to the question of the use of mercenaries, his delegation welcomed the fact that sufficient ratifications or accessions had been achieved to permit the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries, annexed to General Assembly resolution 44/34, to enter into force; Cuba was also considering ratifying that Convention. His delegation further welcomed the meeting of experts on the use of mercenaries which the Office of the United Nations High Commissioner for Human Rights had convened early in 2001; it hoped that future meetings would update international legislation and result in a clearer legal definition of mercenaries, covering both the mercenary as an individual and the broader concept of the responsibilities of States and organizations in respect of mercenary acts. As the Special Rapporteur had pointed out in his report (A/56/224), when nationals of a country were recruited to perform unlawful acts against their own country, the rule should disregard nationality so that such persons could not evade being labelled as mercenaries.

5. The Special Rapporteur had also drawn attention to the long list of mercenary activities with an evident terrorist purpose against Cuba. They included a foiled attempt on the President's life in November 2000 featuring a known international terrorist trained by the Central Intelligence Agency (CIA), the rejection of the extradition of another four terrorists from the United States of America, and the detention by Cuban border guards in April 2001 of a group of Cuban mercenaries, funded by an American-Cuban organization based in Miami. The Cuban Government would continue to insist in international forums on the need to condemn State terrorism in the context of the condemnation of all terrorist acts and methods, and to end the practice of impunity without delay.

6. **Mr. Ahmed** (Sudan) said that misinterpretation of the right to self-determination posed the greatest threat to the political unity, stability and territorial integrity of States, thereby exacerbating conflicts, endangering regional and international peace and security and increasing economic and social hardship. His country shared the view espoused by the Organization of African Unity that the right to self-determination was restricted to peoples under colonial domination or foreign occupation. In that connection, he referred to the ongoing events in the occupied Palestinian territory and to the coercion and arbitrary

acts to which the Palestinian people were daily subjected under the Israeli occupation. Implementation of the United Nations resolutions which accorded to the Palestinian people the right to self-determination was therefore imperative with a view to ending its suffering and attaining its legitimate aspiration for an independent State with Jerusalem as its capital.

7. On the question of the use of mercenaries, he shared the view expressed by the Special Rapporteur that the lack of a clear legal definition of the word "mercenaries" had led to the inclusion of terrorist acts among their illegitimate activities. Consequently, he looked forward to the formulation of a clear definition and to the elaboration of strict international legislation prohibiting mercenary activities and increasing the penalties for those who perpetrated or encouraged them, the aim being to avert any threat to international relations founded on respect for the sovereignty of States, non-interference in internal affairs and the right of peoples to self-determination.

8. **Mr. Knyazhinskiy** (Russian Federation) said that self-determination was a concept of international law which was very important in the maintenance of international peace and security, but should not be used as a justification for violating the territorial and political integrity of States. Self-determination at its most aggressive resulted in separatism, which could undermine international and regional stability. In recent years such separatism had often become associated with violence in its most extreme manifestation — terrorism. Hence the struggle against such phenomena must be universal, using all possible means, as had been borne out by the Security Council in its recent adoption of resolution 1373 (2001). The antidote to the threat of terrorism, separatism and extremism was self-determination for individuals through their free participation in the democratic process, by which they could choose their own future.

9. The Russian Federation had a long history of tolerance and dialogue among the different cultures and religions represented among its people. That "positive symbiosis" was the foundation on which the Federation had been built, and recent reforms to the Federation Council had strengthened it further. Dialogue, rather than confrontation, was the path to true self-determination of peoples.

The meeting rose at 10.40 a.m.